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Kansas Corporation Commission

Bill Graves, Governor John Wine, Chair Cynthia L. Claus, Commissioner Brian J. Moline, Commissioner

March 16, 2001

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Magalie Roman Salas
Secretary
Federal Communications Commission
455 12th Street, SW, TW-A325
Washington, D.C. 20554

RE: In the Matter of Local Competition and Broadband Reporting.
 CC Docket 99-301

Dear Ms. Salas:

Enclosed please find the Comments of the State Corporation Commission of the State of Kansas responding to the Second Notice of Proposed Rulemaking issued in the above-referenced docket.

Sincerely,

Bret Lawson
Assistant General Counsel
Kansas Corporation Commission

enclosure

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

In the Matter of

Local Competition and Broadband Reporting

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**COMMENTS OF THE STATE CORPORATION COMMISSION
OF THE STATE OF KANSAS**

Commissioners: John Wine, Chair
Cynthia L. Claus
Brian J. Moline

March 16, 2001

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**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

In the Matter of

Local Competition and Broadband Reporting

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CC Docket No. 99-301

**COMMENTS OF THE STATE CORPORATION
COMMISSION OF THE STATE OF KANSAS**

In response to the notice requesting comments on how the FCC might improve the process of gathering data on advanced services deployment, the State Corporation Commission of the State of Kansas (KCC) submits the following comments.

1. The KCC applauds the FCC's efforts to collect advanced services deployment information in a standard and efficient manner. Without such timely and consistent information, policy makers are unduly and substantially hampered in their effort to achieve the goals of the Federal Telecommunications Act of 1996, specifically Section 706.

2. In order to make the deployment information more useful at the state/local level, the KCC recommends consideration of the following:

a. In addition to surveying for subscribership data, the survey should be broadened to include availability information. A distinction should be made between service "availability" and "subscribership." These two aspects of services deployment are influenced by different factors and would seem to warrant different considerations and involve different stakeholders.

b. With respect to subscribership, the KCC suggests eliminating the reporting threshold of 250 lines, or their equivalent. While the threshold approach is intended to minimize the reporting burden on small entities, the KCC suggests that the benchmark may not have such effect since service providers must maintain familiarity with the reporting requirements and maintain a line count in order to determine their respective reporting obligations. The actual reporting of information, using the Form 477 process, is mechanized and quite streamlined. In addition, in smaller or emerging markets this

threshold very likely has the effect of under reporting subscribership and, thus, distorting the view of actual levels of deployment in the very markets expected to be problematic (low density, typically rural markets). In the KCC's view, elimination of this threshold would not pose a significant or substantive reporting burden to service providers.


c. Service providers should include suggested retail pricing information for both installation and monthly service. This information would be informative and helpful when analyzing subscribership trends in under served areas of the state/country.

d. The six-month reporting interval should continue. In our opinion, semi-annual reporting of this information, especially with the mechanized Form 477 reporting process, is neither burdensome nor intrusive. Continuing with semi-annual reporting will soon produce data points sufficient to make reasonable assessments and/or projections.

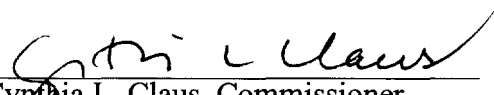
e. In addition to the *high level* reporting of subscribership, aggregated by zip codes, the KCC suggests summarizing and reporting of availability and subscribership information by county or city and, where possible, blending this information with the latest census data. The reporting of service availability by county, or even locality, should not raise confidentiality concerns on the part of service providers because they will, presumably, be actively marketing and selling their services to the general public. This level of detail would lend itself to more traditional and meaningful analysis.

3. The KCC believes these changes would continue to respect the carriers' needs for confidentiality, are not burdensome or intrusive to the reporting carriers, and generally will better meet the information needs of federal and state policy makers alike. The KCC again commends the FCC for its efforts in this data collection matter.

For the Commission:



John Wine, Chair



Cynthia L. Claus, Commissioner



Brian J. Moline, Commissioner

CERTIFICATE OF SERVICE

I, Bret Lawson, hereby certify that a true and correct copy of the foregoing was mailed via Federal Express on this 16th day of March, 2001, to the following:

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